



Chairman: Miss Maria GROZA (Romania).

AGENDA ITEMS 53 AND 60

Elimination of all forms of racial discrimination (continued) (A/8003, chap. IX, sect. A; A/8027, A/8057, A/8061, A/8062 and Add.1 and 2, A/8117, A/C.3/L.1765):

- (a) **International Year for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;**
- (b) **Measures for effectively combating racial discrimination and the policies of *apartheid* and segregation in southern Africa: report of the Secretary-General;**
- (c) **Report of the Committee on the Elimination of Racial Discrimination, submitted under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination;**
- (d) **Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General**

The importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights (continued) (A/7998)

GENERAL DEBATE (continued)

1. Mrs. DE BROMLEY (Honduras) said that the granting of independence to colonial countries and peoples was an essential condition for the elimination of racial discrimination and that it was therefore quite appropriate to consider the two questions together. It seemed particularly regrettable and disquieting that the sanctions imposed by the United Nations to eliminate racial discrimination in Rhodesia and South Africa had been ineffective. The situation in South Africa had not improved since the preceding session. Moreover, that country was a centre of infection, and its policy of *apartheid* was gradually contaminating the adjacent territories. It would have been justifiable to think, however, that such an anachronistic practice could not continue to exist much longer.

2. In Honduras, there was no racial discrimination in law or in practice. Its problems were poverty and the low level of education. Her delegation considered that an effort should be made, through United Nations bodies, to institute education and health programmes, so as to give the maximum assistance to the people of South Africa in preparing to exercise their rights as soon as they were able to do so.

3. The reason why the world situation was being presented in a rather discouraging light by the various information media was that an ideological revolution was taking place, and was particularly felt by the young: indeed, the realities of the modern world showed that personal security and, consequently, collective security, depended not so much on the accumulation of property as on co-operation between all men and that there could be no peace and well-being in the world while peoples were still being oppressed or subjected to racial discrimination. South Africa and the countries which supported it must realize that fact sooner or later. The Honduran delegation was prepared to vote for any draft resolution which embodied those considerations.

4. Mrs. DE GROTEWÖLD (Guatemala) considered that the question of the elimination of all forms of racial discrimination had special importance for the future of mankind and expressed sympathy for the sufferings of those whom racial discrimination had compelled to go into exile or who were victims of it in their own countries.

5. Fortunately, no trace of discrimination existed either in the history of Guatemala or in its legal system or Constitution, which prohibited all discrimination on grounds of race, colour, sex, religion, birth, economic and social status or political opinion. The principle of non-discrimination was instilled in the young from the earliest years of their education.

6. Guatemala, which condemned all forms of discrimination, whatever they might be and wherever they might be practised, approved of the objectives, programmes and suggestions set out in the note by the Secretary-General (A/C.3/L.1765) for the observance in 1971 of the International Year for Action to Combat Racism and Racial Discrimination; it would take all the necessary measures for that observance and, consequently, for the implementation of General Assembly resolution 2544 (XXIV).

7. Guatemala had so far only signed the International Convention on the Elimination of All Forms of Racial Discrimination, but it had participated in its drafting and hoped to become a party to it soon; it congratulated the States which had already ratified the Convention, which would benefit thousands of human beings.

8. Mrs. SIPILÄ (Finland) said that, since the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination concerned every human being, it was important that more States should accede to and ratify the Convention. Before becoming a party to the Convention, however, each State should consider its own legislation and ascertain whether it contained provisions guaranteeing the equality of all citizens and whether it provided for the necessary penalties to enforce those

provisions. The Nordic countries had decided to co-operate to that end when they had signed the Convention. In Finland, it had been found that the criminal law did not provide for the punishment of private persons, enterprises and organizations which might allow racial prejudice to determine their functions in certain contexts. Accordingly, it had been laid down that any act which consisted of making statements or disseminating information in which any part of the population was subjected to threat, slander or insult on the grounds of race, colour, national or ethnic origin or religion was an offence. The same applied to certain manifestations of discrimination. In view of the racial homogeneity of the population, the legislative measures that had been adopted related particularly to nationality and religion as grounds of discrimination, in order to ensure the protection of all minorities. After having taken those measures, Finland had ratified the Convention in July 1970.

9. Finland was also concerned by the situation prevailing in certain regions where racial discrimination was not the exception, but the rule, such as South Africa and Namibia. She would, however, refrain from going into what should be done in that connexion, since that was a matter for the Special Political Committee.

10. The twenty-fifth anniversary of the United Nations was the proper occasion on which to ask why the principles proclaimed in the Charter still remained a dead letter and to make efforts to strengthen the measures taken to implement the instruments that had been adopted in the sphere of human rights. Certain committees had already taken steps in that direction during the commemorative session which, it was to be hoped, would mark not only the inauguration of friendly relations between States and the adoption of an economic development strategy, but also the beginning of energetic action with regard to human rights, for unless those rights were respected, progress in other areas might result only in increasing discrimination against the individual. Her delegation was therefore particularly glad that the year 1971 had been especially devoted to the elimination of all forms of racial discrimination.

11. Mr. MAHMASSANI (Lebanon) said that *apartheid* and racial discrimination in South Africa and Israel were discussed year after year. He hoped that on the occasion of the Organization's twenty-fifth anniversary the General Assembly would finally take a stand to ensure that the principles of the Charter of the United Nations and the Universal Declaration of Human Rights were carried out.

12. The régimes of South Africa and Israel had much in common. Both occupied territory that did not belong to them; both had adopted legislation establishing the superiority of foreigners over indigenous inhabitants who had become second-class citizens, as foreseen by the father of Zionism, Theodor Herzl. Both used appalling methods to crush liberation movements. That policy was based on colour in South Africa and on religion in Israel. With the exception of South Africa, no State pursued a policy as racist as that of Israel: the law on citizenship provided that any Jew, from whatever country, became an Israeli citizen as soon as he set foot on Israeli soil, whereas Arabs wishing to become nationals of Israel had to fulfil certain conditions before their requests were even considered, such as

having been born there or having resided there for a certain number of years, having a permanent residence permit and having an adequate knowledge of Hebrew. Thus, a million Arabs were unable to return to Israel because they had been born Moslems or Christians instead of Jews. A New York Jewish newspaper had recognized that the citizenship law was essentially discriminatory against the Arabs; and the *Jewish Newsletter* had deplored the fact that the Jews had turned the indigenous people off their land, made them into refugees and insulted them instead of helping them.

13. The General Assembly had considered that question many times and had adopted resolutions requesting Israel to allow the Arabs to return to their country. Israel's racist *apartheid* policy had been attacked even by Israelis, in particular by a league which was fighting racialism both in South Africa and in Israel. An eminent United Kingdom expert, who had studied the law on citizenship adopted by Israel and the treatment of Arabs in Israel, had placed *apartheid* in South Africa and in Israel on the same level. There were two aspects to the problem: the Arabs living in Israel who were victims of discrimination; and the refugees who were not permitted to return to Israel. It was a serious matter of principle to which he hoped the General Assembly would devote the attention it merited.

14. Mr. MAGONGO (Swaziland) said that racial discrimination was a threat to peace, social progress and development and the security of all mankind. There were revolutions, wars and crises today because victims of oppression were ready to fight to the death so that their children should enjoy better living conditions and be able to exercise their basic right to freedom and self-determination.

15. The people of southern Africa had been deprived of their land and their political rights; they were victims of discrimination in all spheres of social life. It was time the United Nations questioned why some people voted against resolutions calling for the elimination of racial discrimination and *apartheid*. In his opinion, the reason was that certain Governments maintained economic relations with the countries which practised racial discrimination. Racial discrimination did not exist in European and other countries: it could be eliminated from the whole world; but that would need Government support for and implementation of the relevant resolutions adopted by the United Nations. Seven years had elapsed since the adoption of the resolution calling for an embargo on the supply of arms to countries which were the enemies of human rights and fundamental freedoms; it was difficult to understand how certain Governments could adduce contracts entered into prior to the adoption of the resolution as a pretext for continuing to supply arms, ammunition and equipment to those countries or for abstaining or voting against United Nations sanctions against those countries.

16. Swaziland had suffered racial discrimination for over sixty years: its people had been deprived of their land, their political rights, their right to education and their freedom of religion by the Foreign Jurisdiction Act and by dictatorial Proclamations. On the attainment of independence, the Government had proclaimed that Swaziland was a non-racial State and that all its people enjoyed equality without discrimination of race, colour or religion. Swaziland had ratified the International Convention on the

Elimination of all Forms of Racial Discrimination and it supported all action to eliminate *apartheid* and similar policies, for it considered that people of different nationalities could maintain solidarity and live in harmony and that any régime which based political independence on racial discrimination was bound to fall.

17. Mr. TOKO-MANGAN (Cameroon) thanked the Secretary-General and the specialized agencies for their tireless efforts to keep States and the public informed on the measures and activities envisaged by Governments to combat racial discrimination and the policy of *apartheid*. His country appreciated the honour of being chosen as host to the proposed world-wide seminar on measures to be taken at the national level.

18. In the International Year for Action to Combat Racism and Racial Discrimination, all States should undertake to intensify their efforts and show their solidarity with those fighting against racism by contributing generously to the special United Nations Trust Fund for South Africa. His Government's attitude on the policy of *apartheid* and racial discrimination was well known; there was no racial prejudice or discrimination in his country. At a time when the international community was celebrating the twenty-fifth anniversary of the United Nations and the tenth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples it was appropriate to remember that many African peoples were still enslaved and oppressed and that racial discrimination and *apartheid* were still rife in South Africa, Rhodesia and the Portuguese Territories. The use of force and violence against the freedom movements was a violation of the Universal Declaration of Human Rights and a threat to international peace and security. The international community had condemned that situation on numerous occasions, but its resolutions remained ineffective. It had to be recognized that within the United Nations there were States which energetically condemned *apartheid*, while rendering assistance to the régimes responsible for it. How was it possible to support the racist Government of Pretoria which used modern arms to exterminate the freedom-fighters in Namibia, or the racist minority of Salisbury which had proclaimed a spurious republic in Zimbabwe based on *apartheid* and racial discrimination? The African States were urgently calling on all countries which wanted peace and freedom to condemn in the most categorical terms the States which continued to deliver arms to the régimes of Pretoria and Salisbury.

19. The Portuguese Government continued to exercise colonial domination over African territories on grounds which were legally indefensible, but which enabled it not only to keep those territories dependent in defiance of the relevant resolutions of the United Nations, but to pursue the systematic extermination of the freedom movements in the Portuguese colonies. What was more, the intensification of military action to exterminate the liberation movements had led Portugal to constant violation of the sovereignty and territorial integrity of certain independent African States. The African States knew that the dam that Portugal was to build in Mozambique was intended to strengthen the hold of the white racist minority of those territories on the African peoples. In that connexion the delegation of Cameroon paid a tribute to a Western State for its

courageous action in requesting national firms not to help in the construction of the dam.

20. The fascist Portuguese régime refused to apply the General Assembly resolutions to the Territories under its rule, thus defying both world opinion and the United Nations. States Members of the United Nations should therefore defend the Organization's prestige and authority by adopting more practical measures to compel Portugal to recognize those Territories' fundamental right to self-determination and independence.

21. The Cameroonian Government had always observed and implemented General Assembly resolutions and given both moral and material support to the people of Zimbabwe and to the liberation movements in South Africa and in the Territories under Portuguese rule. If they wanted a peaceful solution to the colonial problem and to that of *apartheid* and racial discrimination, all States Members of the Organization should realistically adopt the necessary decisions.

22. Mr. LORCH (Israel), speaking in exercise of the right of reply, said that the statement by the Lebanese representative was yet another example of the Arab States' tendency to transform any debate into a discussion on the Middle East, as a part of the propaganda campaign inspired by hatred that they unceasingly conducted against Israel. The Lebanese representative had not referred to the question under discussion and in accordance with a practice now well established, had distorted the facts and misrepresented the situation.

23. No racial or any other discrimination existed in Israel. The fundamental principle of the equality of all without discrimination was laid down in his country's Declaration of Independence and had always been applied. The Arab citizens of Israel did not need a spokesman; like all Israeli citizens, they enjoyed complete freedom of speech. It was of course true that the Arabs of Israel were sometimes torn between their loyalty towards their country and their loyalty towards their Arab brothers, but that was caused by the hatred instilled in them by the Arab countries. The Lebanese representative would have great difficulty in citing a single example of discrimination. He knew quite well that if any individual considered he was the victim of discrimination, he had every opportunity to appeal to justice.

24. The Lebanese representative had cited the law of citizenship as an example of discrimination. All countries had immigration laws and had the right to accept or refuse certain immigrants. The purpose of Israel's creation had been to bring together the survivors of the terrible massacres during the Second World War. It was therefore natural that Jews from all countries, including those who were persecuted in the Arab countries, should have the right to become Israeli citizens.

25. With regard to the question of refugees raised by the Lebanese representative, the Special Political Committee was again to discuss that question. However, he wished to emphasize that the Arab States were entirely responsible for the existence of that problem, because of their decision to eliminate Israel. The Israeli Government, on the other

hand, had done and continued to do everything possible to improve the lot of the refugees. The same could hardly be said of Lebanon, which granted them neither the right to become Lebanese citizens nor that of working in Lebanon.

26. It would be interesting to know, on the occasion of the International Year for Action to Combat Racism and Racial Discrimination, if the Lebanese Government intended to forbid the publication of racist works such as *Mein Kampf*, which was published freely at Beirut.

27. What the Middle East needed was peace established in an atmosphere of non-discrimination and equality, which such statements would certainly not help to create.

28. Mr. MAHMASSANI (Lebanon) said that the Israeli representative had not really answered his arguments, and that he had on the other hand referred to questions which had no connexion with the subject.

29. The Declaration of Independence did in fact forbid any discrimination based on race, but made no reference to discrimination based on religion.

30. The free publication of a work such as *Mein Kampf* only showed the complete freedom of press in Lebanon, which had in fact been mentioned by a semi-official Jerusalem paper.

31. He did not wish to cite examples of specific cases of discrimination; it was quite enough to give an example of an avowedly discriminatory policy: the law on citizenship. The arguments advanced by Israel to defend that law were astonishingly similar to those used by the South African Government to defend *apartheid*. If, as Israel claimed, that law had been passed in order to solve the problems of the Jews, it was regrettable that, by its very existence, it should create a new problem, that of the refugees. The Israeli Defence Minister himself had recognized that the Israelis had a feeling of guilt with regard to those refugees. It would be interesting to know how many members of the Israeli cabinet or parliament had been born in the country, while the legitimate inhabitants of the country had been reduced to the state of refugees.

32. The Israeli representative had spoken of the hatred of Israel which, according to him, existed in the Arab countries. According to impartial studies made by foreigners or even by Jews, hatred was a veritable way of life in Israel and formed part of the official policy of the indoctrination of young people, both in schools and in their families.

33. The Israeli representative had spoken of Jews being persecuted in the Arab States. True, he had not specifically mentioned Lebanon, but Mr. Mahmassani wished to point out that no discrimination, either *de jure* or *de facto* existed in Lebanon. The Secretary-General himself had drawn attention to that fact in a note to the Security Council.¹

34. Mr. LORCH (Israel), speaking in exercise of the right of reply, repeated that there was no discrimination in Israel either against the Arabs or against anyone else. He had already explained the meaning of the law of return and had pointed out that every country had the right to adopt the legislation it considered appropriate with regard to immigration. The General Assembly had requested Israel to authorize the return of the Arabs who were ready to live in peace with their neighbours; there might however be some doubt about the peaceful intentions of a certain number of Arabs who wished to take up residence in Israel. It was regrettable that the Lebanese representative had obtained several elements of his statement from inaccurate sources, and he invited him to visit Israel personally so that he might see that the hatred of which he spoke did not exist.

35. When he had referred at the previous meeting to the treatment of Jews in certain Arab countries, he had not mentioned Lebanon and therefore did not understand why the Lebanese representative considered it necessary to reply on that point. It was not within the competence of the Third Committee to discuss who had the right to become a minister in Israel; in some countries, that right was reserved for the people born in the country concerned, but no one had the right to impose such a rule on Israel. Finally, he again wished to ask the Lebanese representative if the Arab refugees in Lebanon had the right to work there and to become Lebanese nationals.

36. Mr. MAHMASSANI (Lebanon), speaking in exercise of the right of reply, said that the Israeli representative had not replied to his questions about racial discrimination. It was a pity that it was himself, and not the Palestinian refugees, that the representative of Israel had invited to come to Israel. As for the Palestine refugees in Lebanon, they had no desire to become Lebanese nationals; they wished to return to their country and live in peace with their neighbours. It was sometimes difficult to check the accuracy of sources of information. He had merely noted that an Israeli newspaper had warned the leaders of that country against the consequences of their policy and pointed out that, if it did not wish to become another South Africa or Southern Rhodesia, Israel should withdraw to its original frontiers.

37. Mr. LORCH (Israel), speaking in exercise of the right of reply, said that he had invited the Lebanese representative to visit Israel as a tourist and not to become an Israeli citizen. The many Arabs who had recently visited Israel had generally been satisfied with what they had seen. He himself would be very happy to be invited to visit Lebanon.

38. Mr. MAHMASSANI (Lebanon), speaking in exercise of the right of reply, repeated that the invitation to visit Israel should be addressed to those who really wished to go there, in other words to the Palestine refugees.

¹ See *Official Records of the Security Council, Twenty-third Year, Supplement for July, August and September 1968*, document S/8699, para. 18.